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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/539,972 | 03/31/2000 | Boris S. Elman | 99-837 | 2133 |

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EXAMINER

AVELLINO, JOSEPH E

ART UNIT PAPER NUMBER

2143

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/539,972

Applicant(s)

ELMAN ET AL.

Examiner

Joseph E. Avellino

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-8 and 16-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8 and 16-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1, 3-8, 16-18, are pending in this examination.

Claim Rejections - 35 USC § 103

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 1, 3, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson et al. (USPN 6,532,241) (hereinafter Ferguson) in view of Andersson et al. (USPN 6,163,544) (hereinafter Andersson).

2. Referring to claim 1, Ferguson discloses a method of customer centric network management comprising the steps, performed by a processor, of:

receiving identification data (i.e. IP address, Physical Unit name, MAC address, etc.) corresponding to a customer (a customer's session) in a network, wherein the customer is a natural person (e.g. abstract; col. 11, lines 40-45);

accessing a database for one or more customer records (i.e. user sessions) corresponding to the customer identification data (SNA PU/LU name, IP address MAC address, etc.) (e.g. abstract; col. 11, lines 42-57);

receiving selection information identifying a selected one of the one or more customer records, wherein the selected customer record corresponds to the customer (Figure 8, and pertinent portions of the disclosure); and

providing actual circuit path information (i.e. user session information, such as seen in Figure 8) corresponding to a customer service based on the selected customer record, wherein the actual circuit path information is used to generate a graphical representation of heterogeneous network components supporting a specific service for the customer (Ferguson discloses that the invention is an example is shown by Cisco Works Blue SNA View product, which provides a view of a data session from the physical unit through the network environment to the host) (col. 11, lines 25-45).

Ferguson does not specifically state that the database accessed is a generic information model database. In analogous art, Andersson discloses another method of customer centric network management wherein the data is stored using a generic information model database. It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Ferguson with Andersson to allow for reduced complexity of the system while allowing for the ease of future upgrades or replacements.

3. Claims 3 and 16 are rejected for similar reasons as stated above. Furthermore Ferguson discloses populating a permanent database with network component information (col. 12, lines 21-36).

4. Claims 4-8, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferguson in view of Andersson as stated above, and furthermore in view of Ahearn et al. (USPN 5,926,463) (hereinafter Ahearn).

5. Referring to claim 4, Ferguson in view of Andersson disclose the invention substantively as described in claim 3. Ferguson in view of Andersson do not specifically disclose the specific steps of sending component information to a management system, retrieving the network component information from the management system, and storing the component information in the database. In analogous art, Ahearn discloses another method of customer centric network management which sends component access information to an element management system (network manager), the element management system retrieving network component information from at least one component in the network (col. 16, line 36 to col. 17, line 33);

retrieving the network component information from the element management system (col. 16, line 36 to col. 17, line 33); and

storing the network component information in the permanent database (col. 16, line 36 to col. 17, line 33).

It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Ahearn with Ferguson and Andersson in order to combine different types of status information into a single, easy to read, view, thereby decreasing complexity and increasing the amount of data which can be simultaneously displayed, as supported by Ahearn (col. 3, lines 23-24).

6. Referring to claim 5, Ferguson in view of Andersson disclose the invention substantively as described in claim 3. Ferguson in view of Andersson do not specifically

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disclose updating the database based on an automatic event. Ahearn discloses updating the permanent database based on an automatic event (periodic polling) (col. 8, lines 15-24; col. 16, lines 36-48). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Ahearn with Ferguson and Andersson in order to combine different types of status information into a single, easy to read, view, thereby decreasing complexity and increasing the amount of data which can be simultaneously displayed, as supported by Ahearn (col. 3, lines 23-24).

7. Referring to claim 6, Ferguson in view of Andersson disclose the invention substantively as described in claim 3. Ferguson in view of Andersson do not specifically disclose updating the database based on a manual event. Ahearn discloses updating the permanent database based on a manual event (poll on demand) (col. 8, lines 15-24). It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Ahearn with Ferguson and Andersson in order to combine different types of status information into a single, easy to read, view, thereby decreasing complexity and increasing the amount of data which can be simultaneously displayed, as supported by Ahearn (col. 3, lines 23-24).

8. Referring to claims 7 and 8, Ferguson in view of Andersson in view of Ahearn discloses a method for network monitoring as stated in the claims above. Ferguson in view of Andersson in view of Ahearn does not disclose storing the new network component information in a temporary database, comparing the temporary and

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permanent databases, and modifying the permanent database according to comparison rules. However it is suggested by the prior art that it would have been obvious to one of ordinary skill in the art to modify the system of Ahearn, Andersson and Ferguson to provide for a temporary database and modifying the permanent database according to comparison rules to avoid the unnecessarily caveat of modifying the database, which is time consuming in a computer environment, to change a value which has been modified, which when viewed on the network level, is insignificant to the big picture.

9. Claims 17 and 18 are rejected for similar reasons as stated above.

Claims 1, 3-8, 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Allen et al. (USPN 6,549,940) (hereinafter Allen) in view of Andersson.

10. Referring to claim 1, Allen discloses a method for customer centric network management which receives identification data corresponding to a customer in a network wherein the customer is one of a group of a person, a company an organization and an enterprise (e.g. abstract; Figure 11);

accessing an information model database for one or more customer records corresponding to the customer identification data (e.g. abstract);

receiving selection information identifying a selected one of the customer records (Figure 17-18); and

providing actual circuit path information corresponding to a customer service based on the selected customer record, wherein the actual circuit path information is used to generate a graphical representation of network components supporting a service for the customer (Figures 29-30, 33-34; col. 18, lines 30-55).

Allen does not specifically state that the database accessed is a generic information model database. In analogous art, Andersson discloses another method of customer centric network management wherein the data is stored using a generic information model database. It would be obvious to a person of ordinary skill in the art at the time the invention was made to combine the teaching of Ferguson with Andersson to allow for reduced complexity of the system while allowing for the ease of future upgrades or replacements.

11. As to claims 3-8 and 16-18, they are all inherent variations of the system described above.

Response to Arguments

12. Applicant's arguments filed August 6, 2004 have been fully considered but they are not persuasive.

13. In the remarks, Applicant argues, in substance, that (1) Ferguson does not disclose the customer is a person, an organization, or an enterprise.

14. As to point (1) the Office respectfully disagrees. As seen in col. 11, lines 40-45 the network operator is able to locate a *user's session* based upon information that *the user* can provide. This clearly states that the user is a person and the rejection is maintained.

Conclusion

15. An Interview was requested by Applicant's representative in order to discuss the amendment to the claims. However the Examiner felt an interview would not further prosecution on the case until Applicant has viewed the newly cited rejection under Allen. Applicant is invited to contact the Examiner to set up an interview to discuss amendments that further differentiate the invention over both Ferguson and Allen, specifically information regarding "providing actual circuit path information" as well as specific details about "a generic information model database".


16. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

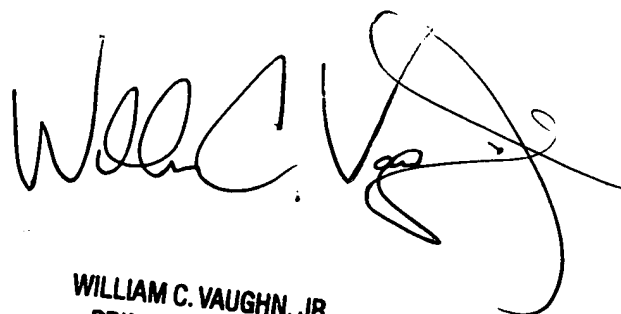
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph E. Avellino whose telephone number is (571) 272-3905. The examiner can normally be reached on Monday-Friday 7:00-4:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


JEA
June 6, 2005


WILLIAM C. VAUGHN, JR.
PRIMARY EXAMINER